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10/671,310	09/25/2003	Takayuki Yajima	848075/0057	8023

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NEW YORK, NY 10022

EXAMINER

ZEWDU, MELESS NMN

ART UNIT	PAPER NUMBER
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2617

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
30 DAYS	04/20/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

10/671,310

Applicant(s)

YAJIMA, TAKAYUKI

Examiner

Meless N. Zewdu

Art Unit

2617

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 April 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 25 September 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment (RCE)

1. This action is in response to the communication filed on 4/10/07.
2. Claims 1-18 are pending in this action.
3. This action is final.

Claim Objections

Claim 1 is objected to because of the following informalities: a space is required in between "unitfor" on line 6. Appropriate correction is required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1, 2, 4, 5, 7, 8, 11, 12 and 15-17 are rejected under 35 U.S.C. 102(e) as being anticipated by Toba (US 6,907,276 B2). For examination purposes, claim 11 is considered first.

Art Unit: 2617

As per claim 11: Toba discloses a method of displaying an input screen of a display unit of a portable terminal having housings open-ably and close-ably connected

Together (see figs. 1 and 2; col. 6, lines 48-58), comprising the steps of:

selecting an item to be displayed on said display unit while said portable terminal is in a closed state (see col. 6, line 59-col. 7, line 2; col. 7, line 58-col. 8, line 6; col. 12, lines 23-56; col. 19, lines 5-53;). Scrolling (see col. 12, lines 49-56) is a means of selecting an item to be displayed.

changing a non-input (external) screen of said display unit having an item selected thereon to an input screen corresponding to said selected item when either of said housings is opened from said closed state (see 8, lines 37-49; col. 10, line 59-col. 11, line 20; col. 14, lines 7-51).

As per claim 12: Toba discloses a method, wherein said non-input (external) screen has a guide view informing a user to open either of said housings from said closed state (see fig. 2, element 11; col. 7, line 67-col. 8, line 6).

As per claim 1: Toba discloses a portable terminal having an open state and a closed state (see figs. 1 and 2; col. 6, lines 48-58), said portable terminal comprising:

a first housing having at least a display unit with a screen (see fig. 1, elements 3 and 5; col. 6, line 59-col. 7, line 2);

a second housing having at least an input unit (see fig. 1, elements 4 and 8; col. 6, line 59-col. 7, line 2);

a detecting means for detecting opening of either of said housings (see fig. 1, element 6; col. 6, line 59-col. 7, line 2; col. 4, lines 39-65); and

a control means for controlling said screen of said display unit (see col. 3, lines 38-53; col. 7, line 58-col. 8, line 6; col. 8, lines 28-49);

wherein said first housing is open-ably and close-ably connected to said second housing (see figs. 1 and 2; col. 6, lines 48-58), wherein said display unit is visible to a user in at least said closed state of said portable terminal (see fig. 2, element 11; col. 6, line 59-col. 7, line 2), and wherein, when said detecting means detects opening of either of said housings, said control means changes said screen of said display unit to an input screen (main display) (see col. 6, line 47-col. 7, line 2; col. 7, line 58-col. 8, line 6; col. 8, lines 27-49).

As per claim 2: Toba discloses a portable terminal, further comprising:

a selecting unit (fig. 3, element 21) for selecting an item displayed on said display unit (see col. 12, lines 45-56) (wherein scrolling indicates selection); wherein when said detecting means detects opening of either of said housings, said control device changes said screen with an item selected by said selecting unit to an input screen corresponding to said item (see col. Col. 3, lines 38-53; col. 8, line 27-49).

As per claim 4: Toba discloses a portable terminal, wherein said portable terminal is a portable telephone (see fig. 1; abstract; col. 6, line 47-col. 7, line 2).

As per claim 15: the features of claim 15 are similar to the features of claim 1. Hence, claim 15 is rejected on the same ground as claim 1.

As per claim 16: the features of claim 16 are similar to the features of claim 1. Hence, claim 16 is rejected on the same ground as claim 1.

Art Unit: 2617

As per claim 17: the features of claim 17 are similar to the features of claim 1. Hence, claim 17 is rejected on the same ground as claim 1.

As per claim 5: Toba discloses a portable terminal having a closed state and an open state (see figs. 1 and 2; col. 6, lines 48-58), said portable terminal comprising:

a first housing having at least a display unit with a screen (see fig. 1, elements 3 and 5; col. 6, line 59-col. 7, line 2);

a second housing having at least an input unit (see fig. 1, elements 4 and 8; col. 6, line 59-col. 7, line 2);

a detecting means for detecting opening of either of said housings (see fig. 1, element 6; col. 6, line 59-col. 7, line 2; col. 4, lines 39-65); and

a control means for controlling said screen of said display unit (see col. 3, lines 38-53; col. 7, line 58-col. 8, line 6; col. 8, lines 28-49);

wherein said first and said second housings are open-ably and close-ably connected together (see figs. 1 and 2; col. 6, lines 48-58), wherein said display unit is visible to the user in said closed state and in said open state of said portable terminal (see fig. 1, element 5 and fig. 2, element 11; col. 6, line 59-col. 7, line 2), wherein said input unit is visible to a user in said open state, and wherein, when said detecting means detects opening of either of said housings, said control means changes said screen of said display unit to an input screen (main display) (see col. 6, line 47-col. 7, line 2; col. 7, line 58-col. 8, line 6; col. 8, lines 27-49).

As per claim 7: Toba discloses a portable terminal, wherein said portable terminal is a portable telephone (see fig. 1; abstract; col. 6, line 47-col. 7, line 2).

Art Unit: 2617

As per claim 8: Toba discloses a portable terminal having a closed state and an open state (see figs. 1 and 2; col. 6, lines 48-58), said portable terminal comprising:

a first housing having at least a display unit, said display unit being switchable between an input mode and a non-input mode (see fig. 1, element 5 and fig. 2, element 11; col. 6, lines 47-58; col. 8, lines 28-49);

a second housing having at least an input unit (see fig. 1, elements 4 and 8; col. 6, line 59-col. 7, line 2);

a detecting means for detecting opening of either of said housings (see fig. 1, element 6; col. 6, line 59-col. 7, line 2; col. 4, lines 39-65); and

a control means for switching said display unit between said non-input mode and said input mode (see col. 3, lines 38-53; col. 7, line 58-col. 8, line 6; col. 8, lines 28-49). Note: the non-input and input modes displays correspond to the main and supplemental displays of the prior art.

wherein said housings are openably and closably connected together (see figs. 1 and 2), wherein said display unit is visible to a user in said closed state of said portable terminal (see fig. 2, element 11) , and wherein when said detecting means detects opening of either of said housings (col. 7, lines 16-30), said control means switches said display unit from said non-input mode to said input mode (main display mode) (see col. 6, line 47-col. 7, line 2; col. 7, line 58-col. 8, line 6; col. 8, lines 27-49).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 9, 10, 13, 14 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Toba in view of Matsumoto et al. (Matsumoto) (US 2002/0119768 A1). For examination purpose, claim 13 is considered first.

As per claim 13: Toba discloses a method of displaying an input screen of a display unit of a

portable terminal having housings open-ably and close-ably connected together (see figs. 1 and 2; col. 6, lines 48-58), comprising the steps of:

receiving an electronic mail message (see abstract; col. 3, lines 22-36);

displaying said received electronic mail message on a non-input (external) screen of said display unit (see fig. 2, element 11; col. 3, lines 22-36; col. 7, line 58-col. 8, line 6); and

changing said non-input screen displaying said received electronic mail message to an input screen (see col. 8, lines 27-49). Further more, Toba discloses displaying received electronic mail message when either of said housings is opened from its closed state (see col. 3, lines 38-53). But, Toba does not explicitly teach/disclose about editing the received email/electronic mail message, as claimed by

Art Unit: 2617

applicant. However, in a related field of endeavor, Matsumoto teaches about portable terminal (mobile station/telephone (see fig. 1) wherein a user of the mobile station may use a text editing function, such as electronic mail (email) which is provided for the mobile station (see page 1, paragraphs 008-009). Therefore, it would have been obvious for one of ordinary skill in the art at the time the invention was made to modify the teaching of Toba with that of Matsumoto for the advantage of conveying information/message to a party without omission (see page 1, paragraph 008).

As per claim 14: Toba discloses a method, wherein said non-input (external) screen has a guide view informing a user to open either of said housings from said closed state (see fig. 2, element 11; col. 7, line 67-col. 8, line 6).

As per claim 18: the features of claim 18 are similar to the features of claim 9. Hence, claim 18 is rejected on the same ground and motivation as claim 9.

As per claim 9: Toba discloses a portable terminal having a closed state and an open state (see figs. 1 and 2; col. 6, lines 48-58) said portable terminal comprising:

a first housing having at least a display unit, said display unit including a screen changeable between an input screen and a non-input screen (see figs. 1 and 2 and corresponding elements 5 and 11). Note: elements 5 and 11 correspond to the input and non-input display modes/screens (see also abstract; col. 7, line 58-col. 8, line 6; col. 8, lines 27-36).

a second housing having at least an input unit (see fig. 1, elements 4 and 8; col. 6, line 59-col. 7, line 2);

a detecting means for detecting opening of either of said housings see fig. 1, element 6; col. 6, line 59-col. 7, line 2; col. 4, lines 39-65); and

a reception means for receiving an electronic mail message (see abstract; col. 7, line 41-col. 8, line 6); and

a control means for selectively displaying said received electronic mail message on said screen of said display unit (see abstract; col. 7, lines 16-30; col. 7, line 58-col. 8, line 6), and for changing said screen of said display unit (col. 8, lines 27-49); wherein said housings are openably and closably connected together (see figs. 1 and 2; col. 6, lines 48-58), wherein said display unit is visible to a user in said closed state (see fig. 1, element 5 and fig. 2, element 11; col. 6, line 59-col. 7, line 2), and wherein when said detecting means detects opening of either of said housings (see fig. 1, element 6; col. 6, lines 48-58; col. 7, lines 16-30), said control means changes said non-input screen displaying said received e-mail to said input screen (main screen) (see col. 8, lines 21-49). In summary, the prior art discloses a detection means for detecting whether the first and second housings are in an open or closed mode and a control for displaying electronic mail/ email message based on the detected mode of display and further a switch for switching the display mode between the two modes. But, Toba does not explicitly teach about editing a received email, as claimed by applicant. However, in a related field of endeavor, Matsumoto teaches about portable terminal (mobile station/telephone (see fig. 1) wherein a user of the mobile station may use a text editing function, such as electronic mail (email) which is provided for the mobile station (see page 1, paragraphs 008-009). Therefore, it would have been obvious for one of ordinary

Art Unit: 2617

skill in the art at the time the invention was made to modify the teaching of Toba with that of Matsumoto for the advantage of conveying information/message to a party without omission (see page 1, paragraph 008).

As per claim 10: Toba teaches about a portable terminal, wherein said control means changes said non-input screen displaying said received e-mail to said input screen and displays said received e-mail on said input screen (see abstract; col. 7, line 58-col. 8, line 6; col. 8, lines 27-49).

Claims 3 and 6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Toba as applied to claim 1 above, and further in view of Lenchik et al. (Lenchik) (US 6,658,272 B1).

As per claim 3: but, Toba does not explicitly teach about a portable terminal, according to claim 1, wherein said portable terminal is a personal digital assistant, as claimed by applicant. However, in a related field of endeavor, Lenchik teaches about a self configured portable electronic device, that can be configured as a personal digital assistant (figs 5- 8; col. 3, lines 13-40) and a cellular telephone (see col. 2, line 2-col. 3, line 12). Therefore, it would have been obvious for one of ordinary skill in the art at the time the invention was made to modify the teaching of Toba with that of Lenchik (configuring portable terminal into PDA) for the advantage of using large display the PDA provides (see col. 1, lines 10-24).

As per claim 6: but, Toba does not explicitly teach about a portable terminal, according to claim 1, wherein said portable terminal is a personal digital assistant, as claimed by applicant. However, in a related field of endeavor, Lenchik teaches about a self

Art Unit: 2617

configured portable electronic device, that can be configured as a personal digital assistant (figs 5- 8; col. 3, lines 13-40) and a cellular telephone (see col. 2, line 2-col. 3, line 12). The motivation same as provided in the rejection of claim 3.

Response to Arguments

Applicant's arguments filed on 11/25/05 have been fully considered but they are not persuasive. Applicant's arguments and examiner's respective responses are shown below in an indexed fashion.

Argument I: with regard to claims, 1-2, 4-5, 7-8, and 11-12, particularly, claims 1, 5, 8 and 11, applicant argues by saying Toba fails to show or suggest a mobile portable communication terminal that switches a non-input screen of the display unit having an item selected to an input screen corresponding to that selected item in response to the terminal switching to an open state from the closed state.

Response I: examiner respectfully disagrees with the argument. In that Toba's references discloses a mobile terminal that switches from a non-input screen (non-replied external display) to an input screen (confirming screen) (see col. 10, line 50, col. 11, line 20; col. 14, lines 19-51). What is displayed on the larger internal screen (for detail response) is corresponding to what is displayed on the small external non-replied display. What is displayed on the non-replied external display on a closed state could be a call or message indication. The switching is based on the detection of the mobile being on a closed or open state. Furthermore, non-input and input screen, as being

Art Unit: 2617

argued, does not have or warrant a meaning other than a/the mobile being in an open and/or closed state. Thus the argument is persuasive.

Argument II: with regard to the above claims, applicant further argues by saying “no where does Toba suggest that when the terminal changes from the closed state to the open state, an input screen appears on the internal display unit.

Response II: examiner respectfully disagrees with the argument. First, Toba's reference shows/discloses the terminal changes from a closed state to an open state (see col. 12, line 57-col. 13, line 15); second, that the open state includes an input screen wherein, a user can reply/confirm to an e-mail message using the main display in an open state (see col. 14, lines 33-51). Furthermore, applicant's argument alleging, “there is no opportunity to input a response of any kind” is as vague as it is broad. Because, it is not clear to whom or what the response is directed. If a response by what applicant mean is a response to an originating party, then, the argument is based a feature that was not claimed. If however, it mean an interaction with a mobile's screen in an open state, the user confirming a received email can read on it (see col. 14, lines 33-51). Thus the argument does not overcome Toba's reference.

Argument III: still with regard to the above claims, applicant asserts that, “toba does not teach an external display that is visible in both the terminal's open and closed states, as claimed in claims 1, 15, and 16.

Response III: examiner respectfully disagrees the argument. In that claims 1 and 15 do not call for the display to be visible for a user in both closed and open states; the requirement in these claims is that the display be “visible to a user in at least said

Art Unit: 2617

closed state of said portable terminal", which is clearly disclosed/shown in Toba's reference. With regard claim 16, the requirement calls for the display to be visible to a user in both closed and open states. A careful analysis of claim 16 would lead one of ordinary skill in the art that the requirement of visibility does not call for the display be simultaneously visible with the screen, by virtue of both being in the same plane. To that effect, a user of Toba's mobile terminal can see the display (fig. 2, element 11) both in closed and open state, particularly, in open state by turning the display towards the user. Thus this argument is not found to be convincing.

Argument IV: with regard to claim 2, applicant argues by saying "a portable communication terminal comprising a selecting unit for selecting an item displayed on the display unit in the closed state, so that when the control unit changes the non-input screen in response to the detection of an opening of the housing, the input screen corresponds to the item selected by the selecting unit" is patentable over Tob's reference.

Response IV: examiner respectfully disagrees with this argument. In that, Toba's references states that " --- the control circuit 21 carries out the display control to display on the main display unit 5 (input screen), the detailed data of the e-mail corresponding (thus selectively) to the item displayed on the external display unit 11 --" (see col. 14, lines 33-51). Thus the argument is not persuasive.

Argument V: with regard to claim 17, applicant raises a similar issue that was raised regarding claims 1 and 15. Specifically, the argument calls for the display being visible in both closed and open state.

Art Unit: 2617

Response V: examiner respectfully disagrees with this argument. Claim 17 calls for the display being visible in "said closed state" of said terminal, and thus the argument is based on a feature that was not claimed as being argued.

Argument VI: with regard to claim 5, applicant argues on the same basis as presented regarding to claim 16.

Response VI: in the interest of avoiding repetition, examiner would like to refer applicant to the response provided regarding to claim 16.

Argument VII: with regard to claim 8, applicant repeats the same argument presented regarding claims 1 and 15, and further adds an assertion that "Toba does not teach or suggest a portable terminal that displays anything on the external display unit when the terminal is in the open state.

Response VII: examiner respectfully disagrees with the argument. First, for the argument considered similar to what is presented regarding claims 1 and 15, examiner requests applicant to refer to the response provided regarding to those claims. But, regarding the difference basis of argument, the assertion that "a portable terminal that displays anything on the external display unit when the terminal is in the open state", does not have any basis in claim 8. What is claimed in claim 8 is, "said display unit is visible to a user in said closed state of said portable terminal", not in open state, as being argued. Thus, the argument is baseless and unconvincing.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Meless N. Zewdu whose telephone number is (571) 272-7873. The examiner can normally be reached on 8:30 am to 5:00 pm..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Appiah Charles can be reached on (571) 272-7904. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2617

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Any inquiry of a general nature or relating to the status of this application or proceedings should be directed to the receptionist whose telephone number is (571) 272 2600.

Meless zewdu

A handwritten signature in black ink, appearing to read 'Meless zewdu', written in a cursive style.

Examiner

16 April 2007.